

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR 2002-096962

05/20/2004

JUDGE PRO TEM SHELLIE SMITH

CLERK OF THE COURT  
L. Talbo  
Deputy

FILED: 05/26/2004

STATE OF ARIZONA

MAYAR M DAIZA

v.

RAFAEL CARRASQUILLO  
DOB: 02/03/1980

O JOSEPH CHORNENKY  
  
APO-SENTENCINGS-SE  
APPEALS-SE  
DISPOSITION CLERK-SE  
RFR

DISPOSITION HEARING - PROBATION REINSTATED WITH REVOCATION  
ARRAIGNMENT/VIOLATION HEARING

State's Attorney:	Daniel Oseran
Defendant's Attorney:	O Joseph Chornenky
Defendant:	Present

A record of the proceedings is made by CD/videotape in lieu of a court reporter.

The Defendant has previously entered a denial to the alleged violation of probation and now advises the Court that he/she wishes to enter an admission.

The Defendant admits violation of probation for condition 18.

The admission is accepted and entered of record.

The Defendant is advised of the right to disposition hearing within the statutory time limits and the right to a written probation violation report. Defendant and counsel waive these matters.

Disposition proceeds at this time.

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Let the record reflect the Court finds that as to Count 2 disposition in this matter is pursuant to A.R.S. 13-901.01A.

The Court finds Defendant has violated the conditions of probation previously imposed.

IT IS ORDERED reinstating the Defendant on probation under the supervision of the Adult Probation Department of this Court under the rewritten conditions and regulations as explained by the Court:

Counts 1-2

Length of Probation: 3 years

Date Reinstated From: 12/16/2002

Condition 16 - Not drink any alcoholic beverage.

Condition 18 - 1 Perform 150 Community Service hours with credit for hours previously served.

Condition 18 - 2 Perform 380 Community Service hours with credit for hours previously served.

Condition 21 - Count 1: Incarceration in the Maricopa County Jail:

45 day(s) from 05/20/2004

Presentence Incarceration Credit: 20 days

Upon screening and acceptance, abide by all conditional release program rules.

Condition 23 - Restitution, Fines, and Fees:

PROBATION SERVICE FEE: Count 1 - \$50.00 per month, beginning 07/01/2004.

FINE: Count 2 - Total amount of \$1,200.00, payable \$50.00 per month beginning 07/01/2004. Surcharges are waived.

ASSESSMENT in the amount of \$20.00 as follows:

Count 2: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

All amounts payable through the Clerk of the Superior Court.

Condition 26 - Other: Cognitive Assessment; Forfeit weapons; return CCW permit to Arizona DPS

IT IS FURTHER ORDERED Defendant be given credit for any monies paid to date.

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IT IS ORDERED granting the Motion to Dismiss the allegations of violation of the remaining term(s) as set forth in the Petition to Revoke.

Count(s) 2: IT IS FURTHER ORDERED Defendant be released from custody for this count only.

Count(s) 1: IT IS ORDERED remanding Defendant to the custody of the Maricopa County Sheriff.

The written terms and conditions of probation are handed to the Defendant for explanation and signature. The Defendant is advised of the consequences of failure to abide the terms of probation.

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Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ JUDGE PRO TEM SHELLIE SMITH  
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)